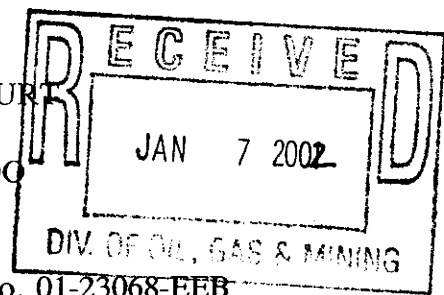


m/23/007

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLORADO



IN RE:	)	
	)	Case No. 01-23068-EEB
NORTH LILY MINING COMPANY, INC.,	)	
a Utah corporation,	)	Chapter 11
EIN: 87-0159350	)	
	)	
Debtor.	)	
	)	
	)	MC No. KMK-10
	)	
IN RE:	)	
	)	Bankruptcy No. 01-23069-EEB
XERES TINTIC, LLC	)	Chapter 11
	)	
EIN: 84-1528808	)	
	)	
	)	Jointly Administered Under
Debtor.	)	Bankruptcy No. 01-23068-EEB
	)	Chapter 11

**APPLICATION TO FIX DATE FOR FILING DISCLOSURE STATEMENT**

The Debtors, by and through their attorneys Kutner Miller Kearns, P.C., make Application to the Court pursuant to B.R. 3016(b) for an Order setting February 4, 2002 as the deadline for Debtors to file their Chapter 11 Disclosure Statement, and as grounds therefor states as follows;

1. The Debtors filed for relief under Chapter 11 of the Bankruptcy Code on September 6, 2001 and the Debtors remain Debtors-in-Possession.
2. Pursuant to 11 U.S.C. §1121(b), the Plan of Reorganization is due and was filed on January 4, 2002.
3. The Disclosure Statement is in the process of being completed. However, there is a substantial amount of information provided by the client for inclusion in the Disclosure Statement. Counsel is revising the document and incorporating additional material.
4. The Debtors will be able to file their Disclosure Statement within 30 days or on or before February 4, 2002.

5. Over the past two weeks various people who are needed for consultation regarding the Disclosure Statement have been unavailable due to holiday and vacation schedules. This has somewhat delayed the process of completing the document.

6. The parties attention to the Plan and Disclosure Statement process was further distracted by a motion filed by the United States Trustee to convert or dismiss the case. The motion has recently been withdrawn.

7. The Plan and Disclosure Statement process have also raised a number of securities law issues which must be addressed with securities counsel. Special securities law counsel was only ordered appointed on December 13, 2001. There has been inadequate time to date to review the Plan and securities issues with counsel.

8. Setting the deadline for filing a Disclosure Statement in 30 days is beneficial because it will allow Debtors to provide an accurate and complete Disclosure Statement for the Plan of Reorganization. The deadline will not prejudice any party and will allow the Debtors to file a more complete Disclosure Statement that ultimately requires less change.

WHEREFORE, the Debtors pray that the Court make and enter an Order setting February 4, 2002 as the date by which Debtors are required to file their Disclosure Statement to accompany Plan of Reorganization dated January 4, 2002, and for such further and additional relief as to the Court may appear proper.

Dated: January 4, 2002

Respectfully submitted,

By: 

Lee M. Kutner, #10966

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UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF COLORADO

IN RE:

NORTH LILY MINING COMPANY, INC.,  
a Utah corporation,  
EIN: 87-0159350

Debtor.

)  
) Case No. 01-23068-EEB

)  
) Chapter 11  
)  
)

)  
) MC No. KMK-10  
)  
)

IN RE:

XERES TINTIC, LLC

EIN: 84-1528808

Debtor.

)  
) Bankruptcy No. 01-23069-EEB  
) Chapter 11  
)  
)

)  
) Jointly Administered Under  
) Bankruptcy No. 01-23068-EEB  
) Chapter 11

**ORDER FIXING DATE FOR FILING DISCLOSURE STATEMENT**

THIS MATTER having come before the Court on the Debtors' Application to Fix Date for Filing Disclosure Statement, cause being shown to the Court for the granting of the requested relief, it is hereby

ORDERED

That the date by which time the Debtors are required to file its Disclosure Statement to Accompany Plan of Reorganization dated January 4, 2002 is hereby extended to and including February 4, 2002.

DONE and entered this \_\_\_\_\_ day of January, 2002 at Denver, Colorado.

\_\_\_\_\_  
Judge Elizabeth E. Brown  
United States Bankruptcy Judge